



Entered on Docket
August 20, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.

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Wells Fargo Bank N.A. successor by merger to Wells Fargo Home Mortgage, Inc.
10-71333

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Tauoa Falo and Marilyn Falo

Debtors.

BK-S-10-11272-bam

MS Motion No. 27

Date: July 20, 2010

Time: 1:30 p.m.

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
2 post-petition arrearages currently due as follows:

3	3 Monthly Payments at \$1,329.60	\$3,988.80
4	(April 1, 2010 - July 1, 2010)	
5	3 Late Charges at \$53.18	\$159.54
6	(April 1, 2010 - July 1, 2010)	
7	Property Inspections	\$45.00
8	Motion for Relief Filing Fee	\$150.00
9	Attorneys Fees	\$750.00
10	Total	\$5,093.34

11 The total arrearage shall be paid in six monthly installments. Payments one
12 through five (1-5) in the amount of \$848.89 shall be in addition to the regular monthly payment
13 and shall be due on or before the 20th day of the month commencing with the August 20, 2010
14 payment and continuing throughout and concluding on or before December 20, 2010. The sixth
15 final payment in the amount of \$848.89 shall be paid on or before January 20, 2011.

16 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
17 shall give Debtors at least five business days' notice of the time, place and date of sale.

18 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
19 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
20 beginning with the August 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering
21 the subject Property, generally described as 679 Pacific Cascades Dr , Henderson, NV 89012, and
22 legally described as follows:

23 LOT ELEVEN (11) IN BLOCK ONE (1) OF FINAL MAP OF BLACK MOUNTAIN
24 VISTA PARCEL B1, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 90 OF
25 PLATS, PAGE 5, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK
26 COUNTY, NEVADA.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth
(16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this

1 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may
2 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
3 State Law, and take any action necessary to obtain complete possession thereof.

4
5 Submitted by:

6 WILDE & ASSOCIATES

7
8 By  410235

9 GREGORY L. WILDE, ESQ.

10 Attorneys for Secured Creditor

212 South Jones Boulevard

Las Vegas, Nevada 89107

11 APPROVED AS TO FORM & CONTENT:

12 Kathleen A. Leavitt

13 By 

14 Kathleen A. Leavitt

15 Chapter 13 Trustee

16 201 Las Vegas Blvd., So. #200

Las Vegas, NV 89101

17 Ryan Alexander

18 By 

19 Ryan Alexander

20 Attorney for Debtors

520 S. 4th St.

Las Vegas, NV 89148

21 Nevada Bar No. 10845

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
2 reflects the court's ruling and that (check one):

3 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

4 ☐ No party appeared at the hearing or filed an objection to the motion.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
6 any unrepresented parties who appeared at the hearing, and each has approved or
7 disapproved the order, or failed to respond, as indicated below [list each property and
8 whether the party has approved, disapproved, or failed to respond to the document]:

9 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
11 order.

12 Debtor's counsel:

13 ☒ approved the form of this order ☐ disapproved the form of this order
14 ☐ waived the right to review the order and/or ☐ failed to respond to the document
15 ☐ appeared at the hearing, waived the right to review the order
16 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 ☒ approved the form of this order ☐ disapproved the form of this order
19 ☐ waived the right to review the order and/or ☐ failed to respond to the document

20 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
23 respond, as indicated below.

24 Debtor's counsel:

25 ☐ approved the form of this order ☐ disapproved the form of this order
26 ☐ waived the right to review the order and/or ☐ failed to respond to the document
27 ☐ appeared at the hearing, waived the right to review the order
28 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

29 Trustee:

30 ☐ approved the form of this order ☐ disapproved the form of this order
31 ☐ waived the right to review the order and/or ☐ failed to respond to the document

32 ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
33 written objection.

34 Submitted by:

35 /s/ Gregory L. Wilde, Esq.

36 Gregory L. Wilde, Esq.

Attorney for Secured Creditor